

Express Mail Label No.

JUL 25 2005

Page 1 of 4

Docket No.  
5478-8A.1

# Declaration and Power of Attorney For Patent Application

## English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**PROTEIN AND LIPID SOURCES FOR USE IN AQUAFEDS AND ANIMAL FEEDS AND A PROCESS FOR THEIR PREPARATION**

the specification of which

(check one)

☐ is attached hereto.

☒ was filed on February 19, 2002 as United States Application No. or PCT International Application Number 10/076,499

and was amended on November 5, 2004 and April 20, 2005

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(c) of any foreign application(s) for patent, or plant breeder's rights certificate(s), or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

### Prior Foreign Application(s)

(Number)	(Country)	(Day/Month/Year Filed)	Priority Claimed
2,351,903	Canada	26/06/2001	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/>

BEST AVAILABLE COPY

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

_____ (Application Serial No.)	_____ (Filing Date)
_____ (Application Serial No.)	_____ (Filing Date)
_____ (Application Serial No.)	_____ (Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

<u>PCT/CA01/00663</u> (Application Serial No.)	<u>May 8, 2001</u> (Filing Date)	<u>PENDING</u> (Status) (patented, pending, abandoned)
<u>US 09/566,728</u> (Application Serial No.)	<u>May 9, 2000</u> (Filing Date)	<u>ABANDONED</u> (Status) (patented, pending, abandoned)
<u>CA 2,335,745</u> (Application Serial No.)	<u>February 13, 2001</u> (Filing Date)	<u>PENDING</u> (Status) (patented, pending, abandoned)
_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patented, pending, abandoned)
_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patented, pending, abandoned)
_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

Ian Fincham, Reg. # 26,375

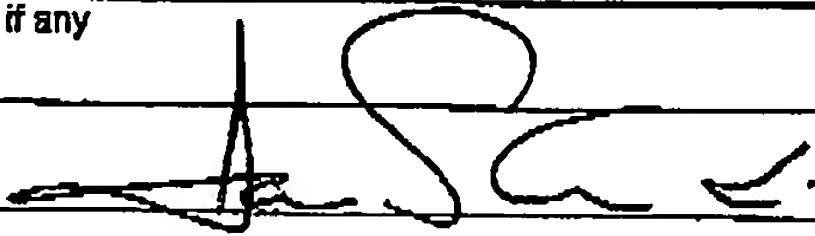
Alan Thomson, Reg. # 20,006

Send Correspondence to: **McFadden, Fincham**  
Suite 606, 225 Metcalfe Street  
Ottawa, Ontario K2P 1P9  
CANADA

Direct Telephone Calls to: (name and telephone number)  
Ian Fincham 613-234-1907

Full name of sole or first inventor <b>HIGGS, David</b>	<i>David A. Higgs</i>	<i>July 18, 2005</i>
Sole or first inventor's signature		Date
Residence <b>R.R.1 W 18 Bowen Island, British Columbia V0N 1G0 CANADA</b>		
Citizenship <b>CANADIAN</b>		
Post Office Address <b>R.R.1 W 18 Bowen Island, British Columbia V0N 1G0 CANADA</b>		

Full name of second inventor, if any <b>CAIRNS, Robert</b>		
Second inventor's signature <i>R. Cairns</i>		<i>July 20/05</i>
Residence <b>10162 McKinnon Crescent, Langley, British Columbia V1M 3V4 CANADA</b>		
Citizenship <b>CANADIAN</b>		
Post Office Address <b>10162 McKinnon Crescent, Langley, British Columbia V1M 3V4 CANADA</b>		

Full name of third inventor, if any <b>SHAND, Ian</b>	
Third inventor's signature 	Date <b>July 20/05</b>
Residence <b>RR1 D165, 471 Melmore Road, Bowen Island, British Columbia, V0N 1G0</b>	
Citizenship <b>Canadian</b>	
Post Office Address <b>RR1 D165, 471 Melmore Road, Bowen Island, British Columbia, V0N 1G0</b>	

Full name of fourth inventor, if any	
Fourth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of fifth inventor, if any	
Fifth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of sixth inventor, if any	
Sixth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

BEST AVAILABLE COPY



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

Application Number: 10/076,499

Attachment to Paper Number: 4/27/05

## NOTICE OF INFORMAL APPLICATION

This application is considered to be informal since it does not comply with the regulations for the reason(s) indicated below. The period within which to correct the informalities noted below and avoid abandonment is set in the accompanying Office action.

A. A new oath or declaration, identifying this application by the application number is required. The oath or declaration does not comply with 37 CFR 1.63 in that it:

- ☐ 1. does not identify the residence (e.g., city and either state or foreign country) of each inventor.
- ☐ 2. does not identify each inventor by full name, including the family name and at least one given name without abbreviation.
- ☐ 3. does not identify the complete post office address of each inventor.
- ☐ 4. does not identify the citizenship of each inventor.
- ☐ 5. does not state whether the inventor is a sole or joint inventor.
- ☐ 6. does not state that the person making the oath or declaration:
  - ☐ has reviewed and understands the contents of the specification, including the claims, as amended by any amendment specifically referred to in the oath or declaration.
  - ☐ believes the named inventor or inventors to be the original and the first inventor or inventors of the subject matter which is claimed and for which a patent is sought.
  - ☐ acknowledges the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.
- ☐ 7. does not identify the foreign application for patent or inventor's certificate on which priority is claimed pursuant to 37 CFR 1.55, and any foreign application having a filing date before that of the application on which priority is claimed, by specifying the application number, country, day, month, and year of its filing.
- ☐ 8. does not state that the person making the oath or declaration acknowledges the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application which discloses and claims subject matter in addition to that disclosed in the prior application (37 CFR 1.63(e)).
- ☐ 9. contains non-initialed alterations (37 CFR 1.52(c)).

B. Applicant is required to provide:

- ☐ 1. Proof of authority of the legal representative under 37 CFR 1.44.
- ☐ 2. An abstract in compliance with 37 CFR 1.72(b).

C. ☒ OTHER: Status of 09/566,728 should be corrected to: AB

:- "ABANDONED"

*Chhaya*

CHHAYA SAYALA  
PRIMARY EXAMINER